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C O N F I D E N T I A L NAIROBI 000182

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SUBJECT: GOVERNMENT SPINNING ITS WHEELS WITH ALL EYES ON
THE 2007 PRIZE

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¶11. (C) SUMMARY: The first meeting of the new cabinet on January 6 indicated the Kenyan government may finally be ready to get back to the business of governing. Political maneuvering and whining, nevertheless, continued, with a singular focus on the next election in 2007. Despite cabinet taking concerted action on drought relief, it is increasingly clear that many in this government, and those aspiring to it, are interested in power, not governance. With two critical corruption reports due out in January, this month presents an opportunity for the U.S. and other partners to further impress upon the government the urgent need to shift energy away from politics and onto issues of critical importance to Kenya. END SUMMARY.

THE RACE IS ON

¶12. (SBU) A month after assembling his post-referendum cabinet, Kibaki convened the ministers on January 6 to discuss, primarily, the drought situation in the country. The cabinet gathering came a day after a much-anticipated meeting between Kibaki and Orange Democratic Movement (ODM) leaders failed to materialize, reportedly at the behest of Kibaki's closest advisers. Following a front-page handshake between ODM leader Raila Odinga and Kibaki on January 4, headlines screamed that the two men, along with some of their allies, would have their long-awaited meeting. On January 5, the government issued a disclaimer, dismissing press reports that there had ever been a discussion scheduled for that day, but noting that Kibaki and Odinga agreed to meet "soon" to discuss the constitutional review process.

¶13. (C) Politicians across the spectrum are consumed with the next general election, nearly two years away. The ODM have distanced themselves from earlier calls for snap elections, in favor of preparing for a drawn-out campaign run-up to the 2007 elections. The group has at least two men who consider themselves presidential contenders, Odinga and Kalonzo Musyoka. The ODM will reportedly meet soon to discuss distilling out, from the various dominant personalities and parties that comprise the organization, a single presidential candidate for 2007. The ODM and official opposition KANU have recently accused the government of foul play in connection with the registration of two political parties. ODM, not officially a party, took exception to the use of its

acronym by another group, while a splinter KANU group has registered the acronym and rooster mascot as a new party.

MOUNT KENYA REBELLION

¶4. (C) Meanwhile, Kibaki is facing an increasingly hostile home crowd, with some of the Mount Kenya region MPs in open rebellion against the President, angling for their own place (and the spoils that come with it) at the center. 17 Central Province MPs have openly criticized the President's inner circle of advisors and have called on the President to send them packing (presumably the rebels would be available to step in to the vacated seats). The President's repeated capitulations to politicians' demands have served to encourage sidelined Central MPs to seize upon the opportunity to demand a greater share of the political pie.

Additionally, some Central politicians have expressed alarm at the growing isolation of the Kikuyu ethnic group following the November 2004 referendum. The referendum campaign revealed the increasingly tribal association of political parties and some Central politicians are publicly pondering the creation of a Kikuyu political party to counter the Luo-dominated LDP. Political wrangling within the President's own party (DP), following the President's statement that the DP was dead and NARC the future, has contributed to the political fires in Kibaki's backyard. The National Executive Council (NEC) of the DP is resisting Kibaki's claims that the DP was dissolved when it joined NARC. It instead met January 11 (without its Chairman, Kibaki or his Deputy, David Mwiraria) to declare that the DP would stand on its own in 2007 and openly expressed concerns about Central Kenya's political and economic future after Kibaki.

CONSTITUTIONAL RUMBLINGS

¶5. (C) With politicians squarely focused on attaining office in 2007, there continues to be little official progress on delivering a new constitution. In his New Year's Day remarks, and again on January 10, Kibaki explained that Kenya would have a new constitution "through an all-inclusive and participatory process." He foreshadowed a coming announcement on how the process would be "fast-tracked." Recent reports that the government plans to assemble a panel of experts to renew the constitutional review process have elicited charges of exclusivity. Setting the stage for rival reviews, the Law Society of Kenya (LSK) announced the creation of its own panel of legal experts. Davinder Lamba, organizer of a December civil society organizations' conference on constitutional review, told poloff that any review group had to be strictly "immunized from politics," and not include any of the delegates to earlier review bodies, or individuals who planned to run for office in 2007, to be acceptable. The government itself has only said that "various consultations" had taken place to determine the best way forward, reiterating that Kibaki is "committed to completion of the process."

AN OPPORTUNITY FOR KENYA

¶6. (C) Although politics has dominated, governance has not been entirely ignored. During the January 6 cabinet meeting, Ministers focused on the drought affecting parts of Kenya, announcing that all available maize in Kenya would be purchased for famine relief and that particular emphasis would be given to school feeding programs. January also presents an opportunity for the government to prove its professed zero tolerance for corruption. The report of the commission of inquiry into the Goldenberg financial scandal is due to be completed this month. Revelations by former Permanent Secretary for Ethics and Governance John Githongo are expected to be made public in the coming days. The Kibaki government's action (or lack thereof) on both of these will speak volumes on official Kenya's commitment to

punishing the worst corruption.

¶7. (C) COMMENT: In spite of the gloomy political front, the current operating environment provides an opportunity for the U.S., along with other domestic and international partners, to impress upon Kenyans the urgent need to refocus energy away from politics and onto governance. With the highest levels of government clearly preoccupied, the Permanent Secretaries, along with a few others who are not consumed by

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their own political ambition, are individuals with whom we can engage to encourage action on corruption (Goldenberg and Githongo reports) and the faltering narcotics investigation (reftel). END COMMENT.

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